

REMARKS

Claims 1, 2, 13 and 23 have been amended. Claims 3, 7-12, 14-22 and 24 have been canceled without prejudice. Claims 25-27 have been added.

The Examiner has rejected applicant's claims 1-6, 13-17 and 23 under 35 U.S.C. § 103(a) as being unpatentable based on the Terada, et al. (US 6,124,888) patent taken with the Matsumoto (US 6,308,015) patent. Claims 7-11, 12, 18-22 and 24 have been rejected also under 35 USC § 103(a) as being unpatentable based on the Anderson (US 6,563,535) patent taken with the Matsumoto (US 6,308,015) patent. With respect to applicant's claims, as amended, these rejections are respectfully traversed.

Applicant's independent claim 1 has been amended to better define applicant's invention. In particular, amended claim 1 now recites an image pickup apparatus, comprising: an image pickup circuit which photoelectrically converts, into pixel signals, a light image formed through a lens; a setting unit which sets at least a first image pickup mode in which the pixel signals are reduced by extracting a predetermined area from an image pickup area of said image pickup circuit and a second image pickup mode in which the pixel signals are obtained from a larger area than said predetermined area by reducing the pixel signals in different reducing method of said first mode; and a controlling unit which controls to lengthen a focal length of said lens depending on a change from said first image pickup mode to said second image pickup mode. Claims 13 and 23 have been similarly amended.

Such a construction is not taught or suggested by the cited art of record. As the Examiner has pointed out, the cited Terada, et al. patent discloses a controller for selecting a signal reading out mode with and without thinning of the read out pixels. Specifically, the Examiner has stated that the Terada, et al. patent teaches a "plurality of image pickup modes

(block and skip modes) including at least a first mode (block mode) in which the pixel signals obtained by said image pickup circuit (103) are reduced by extracting pixel signals of a predetermined continuous area . . . from the pixel signals outputted by a first area . . . of said image pickup circuit . . .”

The Examiner has also stated that the Terada, et al. patent “does not disclose wherein the first area of said image pickup circuit becomes narrower and the depth of field becomes deeper when said . . . second mode is shifted to said . . . first mode. However, the Examiner argues that it would have been straight forward to incorporate this feature in the Terada, et al. patent based on the Matsumoto patent which the Examiner states “discloses a camera with a plurality of modes wherein the first area of said image pickup circuit becomes narrower (diaphragm aperture decreases creating a smaller effective pixel area) and the depth of field becomes deeper when said second mode, portrait mode, is shifted to said first mode, landscape mode . . .”

In reviewing the Matsumoto patent and as acknowledged by the Examiner this patent teaches that the depth of field is varied for the different photographic modes based on changing the diaphragm aperture, i.e., the shutter numerical aperture is set in order to decrease a diaphragm aperture when the photographic mode is a landscape mode, and the shutter numerical aperture is set in order to increase the diaphragm aperture when the photographic mode is a portrait mode. Accordingly, the combined teachings of the Terada, et al. and the Matsumoto patents following the Examiner’s line of reasoning would result in a structure in which for the different image pickup modes the depth of field would be varied by varying the diaphragm aperture.

However, applicant’s amended claims 1, 13 and 23 recite controlling to “lengthen a

focal length of said lens depending on a change from said first image pickup mode to said second image pickup mode." Thus, in applicant's amended claims the focal length is changed for the different image pickup modes, and not the diaphragm aperture, as is taught in the cited references.

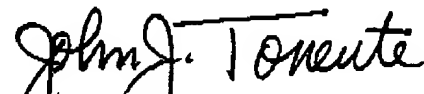
Applicant's amended claims 1, 13 and 23, and their respective dependent claims, all of which recite such feature, thus patentably distinguish over the combination of the Terada, et al. and Matsumoto patents. The Anderson patent adds nothing to the Terada, et al. and Matsumoto patents to change this conclusion. Applicant's added claims 25-27 have similar features as argued above as patentably distinguishing claims 1, 13 and 23 from the cited art. Claims 25-27 are thus believed patentable for the same reasons.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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Respectfully submitted,

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